

Amendments to the Claims:

1-162 (canceled).

163 (currently amended): An apparatus-implemented ~~A machine-implemented~~ method for personalized music or entertainment, the method comprising:

- capturing, at a user-device, details of control actions by a user on pieces or compositions; wherein said control actions ~~are user actions that~~:
 - affect the current playback of a piece or composition, or
 - find or select a piece or composition, or
 - designate a piece or composition for playback;
- storing in one or more memories, a plurality of ratings associated with the user; wherein a rating, indicating a magnitude of preference of the user, is associated with each piece or composition; wherein the magnitude of the rating for the associated piece or composition was determined by using at least some of the details of control actions by the user on the associated piece or composition; a user's rating for each piece or composition in a plurality of pieces or compositions; wherein a said user's rating represents an amount of preference of the user for a said piece or composition; wherein a said user's rating was determined by using said details of previous said control actions by said user;
- initiating, playing automatically the playback of at least one piece or composition, that was ~~;- wherein the piece or composition is custom selected for said user by using said user's ratings.~~

164 (previously presented): A method as in claim 163 wherein said control actions are user actions to repeat or replay a piece or composition that previously played; wherein a said user's rating is influenced toward a higher preference, by a said user control action or actions to repeat or replay, the piece or composition.

165 (previously presented): A method as in claim 163 wherein said control actions are user actions to select or designate a particular piece or composition for playback; wherein a said user's rating is influenced toward a higher preference, by a user control action or actions that select the piece or composition for playback.

166 (previously presented): A method as in claim 163 wherein said control actions are user actions to skip or forward-past the rest of a currently playing piece or composition; wherein a said user's rating is influenced toward a lower preference, by a user control action or actions that skip or forward-past the rest of the piece or composition that is currently playing.

167 (currently amended): A method as in claim 163 wherein said control actions are user actions to stop a currently playing piece or composition; and initiate the play of another piece or composition; wherein a said user's rating associated with the playing piece or composition is influenced toward a lower preference, by a user control action or actions that stop the ~~playing~~ piece or composition that is playing; and initiate the play of another piece or composition.

168 (previously presented): A method as in claim 163 wherein the sooner said user took a control action or actions; to stop a currently playing piece or composition, in-order to experience another piece or composition; the more said user's rating, for the stopped piece or composition, is influenced toward a lower preference.

169 (previously presented): A method as in claim 163 wherein, a said user's rating is at least partially based on how quickly said user took control action to avoid a currently playing piece or composition; when said control action occurred after said user has experienced said avoided piece or composition for at least a recognition-time.

170 (currently amended): A method as in claim 163 wherein a said user's rating is at least partially based on how quickly said user took control action to avoid a playing piece or composition; wherein

the sooner the user took an avoiding action, the more ~~the a said user's rating, for the avoided piece or composition,~~ is adjusted toward a lower preference for the avoided piece or composition.

171-173 (canceled).

174 (previously presented): A method as in claim 163 wherein the more favorable a said user's rating for a piece or composition, the sooner the piece or composition will be selected again.

175 (previously presented): A method as in claim 163 wherein, when a said user's rating for an a said piece or composition is below a defined level of preference, the said piece or composition will not be selected again until at least a defined amount of time has elapsed from the prior playback of the said piece or composition.

176 (previously presented): A method as in claim 163 wherein a said piece or composition is not selected when a said user's rating for said piece or composition is below a defined level of preference.

177-210 (canceled).

211 (previously presented): A method as in claim 163 wherein said control actions are user actions to cause a piece or composition that has just finished playing, to start playing again; wherein a said user's rating is influenced toward a higher preference, by a said user control action or actions to start playing again.

212 (previously presented): A method as in claim 163 wherein said control actions are user actions to search or find a specific piece or composition; wherein a said user's rating is influenced toward a higher preference, by a said user control action or actions to search or find a specific piece or composition.

213 (previously presented): A method as in claim 163 wherein said control actions are user actions occurring while a sample of a piece or composition is playing, wherein said control actions cause the full piece or composition to be played.

214-216 (canceled):

217 (previously presented): A method as in claim 163 wherein the details of control actions include how the playback of a piece or composition was initiated by said user.

218 (previously presented): A method as in claim 163 wherein details of said control actions include the amount or portion of a piece or composition that was played.

219-231 (canceled).

232 (new): A method as in claim 163 wherein the playback of a said selected piece or composition is initiated; when there are no pending user control actions available to be applied or satisfied.

233 (new): A method as in claim 163 further comprising: playing a sequence of said selected pieces or compositions, when there are no pending user control actions available to be applied or satisfied.

234 (new): A method as in claim 163 further comprising: playing, by a user-device without user action, a sequence of pieces or compositions; wherein the pieces and/or compositions were custom selected for said user by using said user's ratings.

235 (new): A method as in claim 163 wherein a user-device responds substantially immediately to user control actions; and when there are no pending user control actions available to be applied or satisfied, the playback of a said selected piece or composition is automatically initiated.

236 (new): A method as in claim 163 wherein the rating for a specific piece or composition is determined by using a plurality of control actions, that were previously applied by the user on the specific piece or composition.

237 (new): A method as in claim 163 wherein a said user's rating for an associated piece or composition is determined using a plurality of individual said user control actions that occurred on a plurality of different occasions and/or at different user-devices; wherein said control actions were applied to the associated piece or composition.

238 (new): A method as in claim 163 wherein said user's rating is determined using said user's control actions that occurred at a plurality of user devices; wherein information about said user's control actions or user's ratings is automatically distributed across at least one network or communication path to said plurality of user devices.

239 (new): A method as in claim 163 wherein the magnitude of the rating for a piece or composition was: increased by certain user control actions and decreased by other user control actions.

240 (new): A method as in claim 163 wherein: some user control actions cause the magnitude of the rating to be determined to be more favorable, and other user control actions cause the magnitude of the rating to be determined to be less favorable.

241 (new): A method as in claim 163 wherein a prior magnitude of the user's rating for a said piece or composition, is adjusted to a higher or lower magnitude of preference, by using new control actions by the user that were applied on the piece or composition.

242 (new): A method as in claim 163 further comprising: updating a said rating for a piece or composition, by adjusting the magnitude of the previous rating, up or down by an amount that is based upon details of a newer control action by the user on the piece or composition.

243 (new): A method as in claim 163 further comprising: adjusting the magnitude of a said user's rating toward a more favorable or less favorable preference, based on the details of a said control action.

244 (new): A method as in claim 163 wherein a said rating for a piece or composition, is stored in a memory or memories, until an updated rating, based on newer control actions by the user, is available.

245 (new): A method as in claim 163 wherein a said rating is stored in one or more memories until an updated magnitude of the rating is determined by using newer control actions by the user.

246 (new): A method as in claim 163 wherein a said user's rating is updated by adjusting the magnitude of the prior rating, toward a higher or lower preference, based on the details of a newer user control action that was applied to the piece or composition.

247 (new): A method as in claim 163 wherein the details about individual control actions, that occurred on a plurality of different occasions and/or at different user devices, were stored in one or more memories; and a plurality of the stored details, that were applied to the same piece or composition, were used to determine a said user's rating for that piece or composition.

248 (new): A method as in claim 163 wherein the details about of each individual control actions is saved for a plurality of control actions; wherein a said rating is determined by using the saved details about individual control actions for a plurality of said control actions.

249 (new): A method as in claim 163 further comprising:

- storing, in a memory or memories, the details about each individual control action, for a plurality of control actions on a said piece or composition, that occurred on different occasions and/or at different user devices;
- using the stored details about individual control actions to determine the magnitude of the user's rating for the piece or composition.

250 (new): A method as in claim 163 further comprising:

- storing, in a memory or memories, the details about each individual control action, for a plurality of control actions on a said piece or composition, that occurred on different occasions and/or at different user devices;
- processing, in the order that control actions occurred, a plurality of the stored details about control actions to determine the magnitude of the user's rating for the piece or composition.

251 (new): A method as in claim 163 further comprising:

- storing, in a memory or memories, the details about each individual control action, for a plurality of control actions on a said piece or composition, that occurred on different occasions and/or at different user devices;
- processing, in the order that control actions occurred, a plurality of the stored details about control actions to determine the magnitude of the user's rating for the piece or composition; wherein the user's rating is: adjusted toward a more favorable magnitude by some control actions and adjusted to a less favorable magnitude by other control actions.

252 (new): An apparatus-implemented method for personalized music or entertainment, the method comprising:

- capturing, at a user-device, details of control actions by a user on pieces or compositions; wherein said control actions:
 - affect the current playback of a piece or composition, or
 - find or select a piece or composition, or
 - designate a piece or composition for playback;
- determining a plurality of ratings associated with the user; wherein a rating, indicating a magnitude of preference of the user, is associated with each piece or composition; wherein the magnitude of the rating for the associated piece or composition is at least partially based the details of control actions by the user on the associated piece or composition;
- using said user's ratings to custom select for the user, at least one piece or composition.

253 (new): A method as in claim 252 further comprising: initiating the playback of a said selected piece or composition; when there are no pending user control actions available to be applied or satisfied.

254 (new): A method as in claim 252 wherein the magnitude of the rating for a piece or composition was: increased by certain user control actions and decreased by other user control actions.

255 (new): A method as in claim 252 wherein a said rating is stored in one or more memories until an updated magnitude of the rating is determined by using newer control actions by the user.

256 (new): Apparatus for personalized music or entertainment, said apparatus comprising:

- means for capturing details of control actions by a user on pieces or compositions; wherein said control actions:
 - affect the current playback of a piece or composition, or
 - find or select a piece or composition, or
 - designate a piece or composition for playback;
- one or more memories for storing, a plurality of ratings associated with the user; wherein a rating, indicating a magnitude of preference of the user, is associated with each piece or composition; wherein the magnitude of the rating for the associated piece or composition was determined by using at least some details of control actions by the user on the associated piece or composition;
- means for initiating, the playback of at least one piece or composition, that was custom selected for said user by using said user's ratings.

257 (new): Apparatus as in claim 256 wherein the playback of a said selected piece or composition is initiated, when there are no pending user control actions available to be applied or satisfied.

258 (new): Apparatus as in claim 256 wherein the magnitude of the rating for a piece or composition was: increased by certain user control actions and decreased by other user control actions.

259 (new): Apparatus as in claim 256 wherein a said rating is stored in one or more memories until an updated magnitude of the rating is determined by using newer control actions by the user.

260 (new): One or more computer-readable memories or media having computer-readable instructions thereon which, when executed by one or more processing devices, implement the method of:

- capturing, at a user-device, details of control actions by a user on pieces or compositions; wherein said control actions:
 - affect the current playback of a piece or composition, or
 - find or select a piece or composition, or
 - designate a piece or composition for playback;
- storing in one or more memories, a plurality of ratings associated with the user; wherein a rating, indicating a magnitude of preference of the user, is associated with each piece or composition; wherein the magnitude of the rating for the associated piece or composition was determined by using at least some details of control actions by the user on the associated piece or composition;
- initiating, the playback of at least one piece or composition, that was custom selected for said user by using said user's ratings.

261 (new): Apparatus as in claim 260 wherein the playback of a said selected piece or composition is initiated, when there are no pending user control actions available to be applied or satisfied.

262 (new): Apparatus as in claim 260 wherein the magnitude of the rating for a piece or composition was: increased by certain user control actions and decreased by other user control actions.

263 (new): Apparatus as in claim 260 wherein a said rating is stored in one or more memories until an updated magnitude of the rating is determined by using newer control actions by the user.